

ROBERT MOLHOEK

FACSIMILE

OP GRAND

5/18998

EXHIBIT No. 208	CLERK
Number of pages including cover sheet: 5	

To:	Lincoln Hansen
	CMC
Phone No:	07 33606060
Fax No:	07 33606008

From:	Rob Molhoek
	Councillor
Phone No:	(07) 5581 6408
Fax No:	(07) 5581 5292

REMARKS: Urgent For your review Reply ASAP Please comment

Hi Lionel

Further to our telephone conversation of this morning please find attached the additional information I wish to submit in response to comments made by Cr Young in his witness submission to the Local Government Minister and CMC.

I have sent a hard copy by Australia Post in today's mail for your records.

Warmest regards

Cr Robert Molhoek
M: 0414 180099
E: rob@timanddave.com

If you do not receive all of this transmission please telephone (07) 5581 6408

DISCLAIMER:
This facsimile contains privileged information intended only for the use of the addressee named above. If you are not the intended recipient of this facsimile you are hereby notified that any dissemination, distribution or copying thereof is strictly prohibited. *If you have received this facsimile in error, please notify this Office immediately by telephone.*

**Queensland Crime and Misconduct Commission
Notice to Discover**

Misconduct Investigation

5 OCTOBER 2005

TO:

Lincoln HANSEN, Anna MCDONALD, Karel WEIMAR,
Ben Duell or Daniel BOYLE

of

The Crime and Misconduct Commission of Queensland
Level 3 Terrica Place
140 Creek Street
BRISBANE QLD 4000

FROM:

Robert MOLHOEK,
Councillor Division 4 - Gold Coast City Council
of 33 Reynolds Ave,
Labrador Qld 4215

STATEMENT

I have today had opportunity to review material provided to the CMC by Cr Peter Young.

I am concerned about a statement made by him in his original dossier to the CMC and subsequent comments recorded in the CMC's record of interview.

In his original statement he makes reference to a function held by Cr Ted Shepherd to raise funds for his 2008 re-election campaign.

The statement,

"I am reliably advised that \$50,000 was raised on this single night, including a gift of \$30,000 from one donator".

I am concerned about comments made in the record of interview with Inspector Ken Beml,

PY "Umm probably only Councillor Molhoek who he himself ahh I understand has seen a copy of the invitation. Has spoken with people that attended the function, Umm and these people that were invited.

KB What was the function called, Did it have a name?

PY I don't know

KB And those figures you've quoted here \$50,000 was raised on that night. Once again that would have come from Councillor Sarroff from Cr Molhoek?

PY That's correct Yep.

KB And likewise by the number of guests and the \$30,000 being received from one contributor again came from Councillor Molhoek?

PY That's correct Yep.

KB Do you know how Councillor Molhoek would have been made aware of that information.

PY My understanding is he was approached by people who had been invited.

KB and you don't know who?

PY I don't know. And I believe Councillor Molhoek has a copy of the invitation and I don't know if it has an addressee or if it's just a general thing and I haven't seen it.

In regard to Councillor Young's statements I wish to clarify the following points;

- 1. I have never had a formal conversation with Councillor Young about Cr Shepherd's function.**
- 2. I have never knowingly spoken with any guest or guests at the function or for that matter developers who may have been in attendance.**
- 3. A day or two after Councillor Shepherd's function the office was buzzing with gossip about the function, there was a lot of speculation about it's success, the information I had was only ever based on Chinese whispers among Council Officer's around the Bundall Chamber Building at best.**
- 4. On the day I heard the first of these rumours Councillor Sarroff invited me into his office for a chat, he expressed concern over the tension in Council, he said something like it's not nice coming in here at the moment, inquired as to how I was handling the environment and expressed the desire to see things settle down. I expressed similar views about Council life not being quite what I expected. We also spoke about the rumours related to Councillor Shepherd's function and it would be fair to say we were both a little concerned about the alleged success of the event and shared the view it was difficult to believe so much could have been raised.**
- 5. Several days later Councillor Sarroff approached me in the hallway to ask if I had been able to substantiate any of the information regarding Councillor Shepherd's function. I indicated that I had not spoken to anyone directly involved but believed there may be some substance to the rumours but I have no evidence to substantiate the information. The information I had is based only on office scuttlebutt and rumours.**

6. I did make a passing unsubstantiated comment to Councillor Young during debate in a Council meeting when he made reference to Councillor Shepherd and the function. I said, I'd heard he had raised somewhere in the order of \$50,000 and rumour had it \$30,000 came from a single donor or auction item.
7. I am concerned that Cr Young may be suggesting that I am the person who "*reliably advised*" him as this would be an exaggeration of the passing comment made by myself to him during Council.
8. I did manage to obtain a copy of the invitation a week or two after the function from a Council Officer and have attached a copy to this submission.

Dated this ninth day of November, 2005



ROBERT MOLHOEK
33 Reynolds Ave
Labrador Qld 4214

Postal & Residential Address:

33 Reynolds Ave
Labrador Qld 4215

Mobile: 0414 180099

Office: 07 55816434

Home: 07 55285725

Fax: 07 55285030

Email: rob@timanddave.com.au

INVITATION

Councillor Ted Shepherd
Division 9 GCCC



requests the pleasure of the company of

at a special presentation by David Bladin, Winemaker and
a tasting of his award winning premium Albert River Wines



ALBERT RIVER
WINES

Wednesday 11 MAY
5.30pm for 6.00 through 8.00pm

WOODCHOPPERS INN
Railway Street, Mudgeeraba

**PROCEEDS TO REAFFIRM TED'S COMMITMENT TO
RE-ELECTION IN 2008**
Light Refreshments & Entertainment provided

Tickets \$75 each or Block Bookings - \$695 (table of 10)

RSVP by Friday 6 May to PO Box 322, Mudgeeraba 4213 or contact Sue Shepherd 07 5530 2261

Name:

Address:

- I will be attending the function and enclose my cheque for _____ tickets
- I will not be attending the function but enclose my donation

Please make all cheques payable to; Ted Shepherd Campaign A/C
PO Box 322, MUDGEERABA QLD 4213

For other payment options please ring Sue on 07 5530 2261

ROBERT MOLHOEK

33 Reynolds Ave Labrador Qld 4215

FACSIMILE

RECFIND

0m05/18999

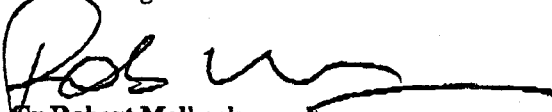
Date: 9 November 2005Number of pages including cover
sheet: 0To: Lincoln HansenCMCPhone
No: 07 33606060Fax No: 07 33606008From: Rob MolhoekCouncillorPhone
No: (07) 5581 6408Fax No: (07) 5581 5292REMARKS: Urgent For your review Reply ASAP Please comment

Hi Lionel

Further to my appearance at the inquiry please find attached additional information I would like to submit in relation to questions directed to me by Mr Mullholland in regards to the Rates Discount that was refunded to Sunland..

I have sent a hard copy by Australia Post in today's mail for your records.

Warmest regards



Cr Robert Molhoek

M: 0414 180099

E: rob@timanddave.com

If you do not receive all of this transmission please telephone (07) 5581 6408

DISCLAIMER:

This facsimile contains privileged information intended only for the use of the addressee named above. If you are not the intended recipient of this facsimile you are hereby notified that any dissemination, distribution or copying thereof is strictly prohibited. *If you have received this facsimile in error, please notify this Office immediately by telephone.*

**Queensland Crime and Misconduct Commission
Notice to Discover**

Misconduct Investigation

5 OCTOBER 2005

TO:

Lincoln HANSEN, Anna MCDONALD, Karel WEIMAR,
Ben Duell or Daniel BOYLE

of

The Crime and Misconduct Commission of Queensland
Level 3 Terrica Place
140 Creek Street
BRISBANE QLD 4000

FROM:

Robert MOLHOEK,
Councillor Division 4 - Gold Coast City Council
of 33 Reynolds Ave,
Labrador Qld 4215

STATEMENT

1. Further to my evidence at the CMC inquiry last month, I would like to submit the attached memorandum (appendix 1) received from Council Officer's and highlights further advice sought by myself as to the legality and or precedence for granting a refund of discount.
 - The memorandum states that Council received 1034 request in the period from 1 July 2004.
 - 81 requests were rejected.
 - 953 requests were granted, 953 totalling \$99,113.21
 - Of those granted, 246 were granted under "special circumstances".
 - 246 determined by Council officers totalling \$41,060.58.
 - Of these, three properties had a discount granted totalling \$19,776.61.

2. In relation to the legality of Council's resolution to reinstate the discount I believe the advice contained in the Finance & Internal Services Committee Agenda - Item 3 was not particularly clear.

It certainly made reference to the requirements of Section 1021 of the Local Government Act 1993 and provided an opinion from Council's Officers. There was not however any strong advice suggesting that a decision to the contrary of Officer's advice may be illegal under the act.

If Officer's where of the view that granting the discount was in fact illegal then the agenda item should have made clear reference to such and their concerns should have been made absolutely clear to Councillor's.

It was and remains my view particularly in light of the further advice I received on December 3rd, 2004 re the granting of discounts under "special circumstance that Councillor's were at liberty to reinstate the discount as the act is not clear and needs to be more clearly defined.

3. In relation to Mr Mullholland's questions of October 11th 2005 regarding Mr Abedian, I wish to correct my statement that he is the owner of the business and therefore the recipient of the discount refund.

Mr Abedian is in fact the Managing Director of Sunland not the owner. Carnriver is a subsidiary of the Sunland Group, a public company. The resolution of council to reinstate the discount was of benefit to that company not Mr Abedian personally.

Dated this eighth day of November, 2005



ROBERT MOLHOEK
33 Reynolds Ave
Labrador Qld 4214

Postal & Residential Address:

33 Reynolds Ave
Labrador Qld 4215

Mobile: 0414 180099

Office: 07 55816434

Home: 07 55285725

Fax: 07 55285030

Email: rob@timanddave.com.au

APPENDIX 1

MEMORANDUM



To: Cr Rob Molhoek
From: Graeme Finlayson, Director Organisational Services
Subject: DISCOUNT REQUESTS - RATES
Date: 3 December 2004

Rob

Thank you for your recent information request regarding rate discounts allowed by Council pursuant to section 1021 of the Local Government Act 1993.

As you are aware, section 1021 provides Council with a broad discretion in allowing discounts for rates where Council is satisfied that a person has been prevented from paying on time due to circumstances beyond the person's control.

Dealing with each of your specific queries in turn, I comment as follows:

Q: How many requests would we have received for special consideration of a refund/credit in relation to rates?:

Answer:

It is not possible to identify the total number of special consideration requests for discount received as verbal requests that are declined are not recorded.

In relation to written requests for special consideration for discount, 1034 requests have been received since 1 July 2004. Eighty-one (81) requests have been declined and 953 requests were granted.

Of the 953 requests granted, 246 were for special circumstances and 708 fell into the specific categories Council has identified (e.g. sickness, death in the family etc).

It should be noted that the total number of rate accounts on Council's system is over 218,000.

Q: What grace period do we factor into the system for cheques and payments received on or around the cut of date for the discount?

Answer:

A grace period of one-two days is allowed, depending on method of payment.

Q: How many and what is the dollar value of discounts/credits we would have granted in the past five months since July 1st 2004?

Answer:

The value of the discounts granted for the 953 requests approved totalled \$99,113.21. This figure excludes the discount relating to the Carnriver property.

The 246 special circumstances approvals totalled \$41,060.58. Of these, three properties had discount granted totalling \$19,766.61.

If you have any queries regarding the above, please do not hesitate to contact me.

Regards

Graeme Finlayson
Director Organisational Services